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WHITMAN & CO., Agents.

Joy for the Slaves of The Pipe.

Circuit Court Declares Anyone May Have the Drug Legally in Possession.

No more need the Chinese opium-smoker in Honolulu feel that he is likely to time a single pot will effect a cure, be swooped down upon by Deputy Sheriff Chillingworth and haled into court to cases, several pots are sometimes necbe fined \$50, riore or less, for having "oplum in possession." The law which provides a penalty for those who are caught with opium in their possession met a legal death yesterday at the hands of the First Judge of the First Circuit Court, who declared that the law was unconstitutional and in direct con-travention to the decision of the United publish in full: States Supreme Court,

The Celestial who dozes amid the fumes of his favorite dream-producing Reed's Patent Elastic Sectional drug, can doze and doze without any fear that the police will disturb him, for the Judge has stated that the law by which he has been hounded night after night ceased to be operative on June 14 Water-proof Cold Water Paint, last, and that any one can keep opium inside and outside, in white and in his house as he would a decanter of the finest bourbon.

> In an oral decision rendered from the bench yesterday afternoon, the Judge sustained the demurrers in the cases of the Territory of Hawaii vs. Sam Kun, Lap Chu and Tau Chou, charged with and convicted of having "opium in possession," by the District Court. The mer. were each fined \$50 and costs. The Judge spoke briefly, although the decision is one of the most far-reaching in the Territory. He said:

"The demurrer in these cases will be sustained. The Court finds that the law prohibiting the possession of opium in the Hawaiian Islands after the Organic Act became effective, to wit, the 14th of June, 1900, ceased to be operative, such law being in conflict with the Constitu- burb 12 miles from Sydney. Is not that tion of the United States and against the the best possible kind of proof? Could settled policy of the United States, as there be better? evinced by it in placing a tariff duty upon opium and permitting it to be brought within the confines of the United States

upon the payment of such duty. "Opposed to the view which I express lister Drug Co., Honolulu, agents for is the case of the Territory of Washington vs. Ah Lim, decided in February, 1890. The case of Leisy vs. Hardin was Manufacturers of National Cane decided by the Supreme Court of the Shredder, New York. Washington court rendered its decision. So the opinion of the Supreme Court of the Territory of Washington may be considered as having been overruled by the Supreme Court of the United States. "The Court has been so engrossed with engagements that it has not had the time to prepare a written opinion in this case as it would like to have done. "I simply state my conclusion that the demurrer should be sustained, the Court

finding the law to be unconstitutional," PLUMBERS' SUIT. T. Horito, by his attorney, F. M. Brooks, has filed an answer to the com-plaint of Gehring & Butzke, making a statutory denial of all the allegations, and further alleges that the plaintiff and himself entered into a contract whereby the plaintiff should perform services and furnish material mentioned in plaintiff's complaint at the agreed sum of \$170, and that before the beginning of of this suit by plaintiff and after said work had been finished, the defendant offered the plaintiff the sum of \$170 and the plaintiff then and there refused the same, The defendant declares he has been ready and willing at all times to pay this amount, and now brings the same into

MACFARLANE-CATTON SUIT DIS-

MISSED. A decree filed yesterday by the First Circuit Judge in the bill for accounting brought by John Fowler & Co., Ltd., against Robert Catton et al., orders that complainants' bill do stand dismissed as against the defendant Robert Catton, with costs to be paid by the complain-ant to the said defendant. This cause came on to be heard before the First Judge at chambers on Friday, January 18. on the demurrer of the defendant to the bill of complaint. An oral decision was rendered yesterday by the Judge sustaining the demurrer on the grounds (1) of uncertainty in the said bill and (2) that the court has no jurisdiction over the matters and things set forth in the

Hatch & Silliman, attorneys for plaintiff, filed their brief on demurrer of defendants. The motion of plaintiffs for leave to amend their bill was denied and the action summarily dismissed.

FIRE INSURANCE CASES. Return of summons has been made in the case of Sing Chan & Co. vs. The Al-We still have a number of liance Insurance Company. The plain-& Building Company, seeks judgment against the defendant for \$750 on account of insurance losses incurred in the Chinatown fire of last year. Also returns were made in the case of the same plaintiff against The Insurance Company of North America to recover \$1,000, and against The Svea Insurance Company for \$1,000.

Kwong Lee Yuen vs. Alliance Assurance Company for \$1,800 insurance; Sun Lung vs. The Insurance Company of North America for \$700; Kwong Lee Yuen vs. Caledonian Insurance Company for \$2,250; Kwong Lee Yuen vs. Alliance Assurance Company for \$750; Kwong Lee Yuen vs. Manchester Fire Assurance Company for \$750; Lee Tung et al. vs. Insurance Company of North America

Demurrers have also been filed by Kwong Lee Yuen and Tong Chong Chan have presented a motion to set a day for hearing on defendants' demurrer.

CIRCUIT COURT JURORS. The trial jury for the February term of the Circuit Court has been filed. The names of the jurors are as follows: Robert C. Lydecker, Walter F. Dillingham, J. Oswald Lutted, Patrick H. Burnett, Albert E. Harris, James Brown, George W. Clark, Thomas H. Petrle, Charles Ramsey, Peter A. Lucas, Walter W. Chamberlain, Thomas F. McTighe, Chas. R. Collins, J. Harrie Mackenzie, Percy Lishman, Simpson Decker, David T. Bailey, Francis D. Greany, Charles J. Best and Cheapest in the market. Falk, Albert Barnes, Quintus H. Berrey, David L. Conkling, William T. Schmidt, Samuel F. Nott, Winfrid H. Babbett, Abraham St. C. Pilanaia, John M. Bright, John W. Smithies, A. A. Montano, John H. Wise, James Spencer, William J. Smith, John Crowell, George Markham, Benjamin K. Ka-ne and Christopher J.

COURT NOTES.

Defendant's bill of costs in the trespass case of Nettie L. Scott vs. J. K. Nahale, amounting to \$4, has been filed. S. Ahmi, by his attorney, J. M. Kanea-kua, has filed a motion asking the Court

to set a day for the hearing of the motion to adjudge Respondent James Astiford guilty of contempt of court, now on

The cases of Wong Kwai vs. Liliuokaani and Tong Chong Chan vs. New Zealand Insurance Company will come up for trial today.

DON'T NEGLECT

A Common Case of Piles-It may Lead to Serious Results. (From the Sydney Herald.)

When people generally understand that all such fatal diseases as fistula, ulcer of the rectum, fissure, etc., almost in riably begin in a simple case of piles, they will learn the wisdom of taking prompt treatment for the first appearance of trouble in this quarter. Doan's Ointment will certainly cure every form of piles - itching, bleeding, protruding, or blind pilesand hundreds of lives have been saved by using this cheap, effective remedy right at the start, because at such a while in the old chronic, deep-seated essary before a lasting cure is effected. Here is a case:

Mr. William Gilliver, of the wellknown firm of Gilliver & Curtis, railway and general contractors, and whose private address is "Avoca," Bankstown, has written the following unsolicited letter, which we herewith

Messrs. Foster-McClellan Co., 76 Pitt St., Sydney, N. S. W., February 14,

Dear Sirs:-In justice to you and suffering humanity I write to say that suffered from itching piles for 22 years. I tried many doctors and pretty well all kinds of patent medicines, but got relief for a short time only. Seeing your Ointment advertised I bought a pot and did not use more than one-half of it, not six months ago, and I am perfectly cured. You may use this as you wish.

Yours gratefully, WILLIAM GILLIVER.

It cannot be repeated too often that Doan's Ointment will cure itching piles. IT WILL CURE THEM ABSO-LUTELY. But do not take the manufacturer's word for this; ask or write Mr. Gilliver; he knows, for it cured him, and he lives in Bankstown, a su-

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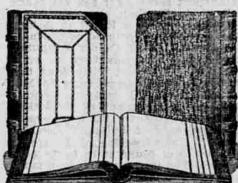
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